

REMARKS

Claims 2, 4-8 and 10 have been amended. Claims 1-10 are pending in the application and presented for further consideration.

The specification has been amended to correct minor typographical errors. No new matter has been added.

Claims 6, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated U.S. Patent No. 4,497,503 (Irwin). Claim 6 recites a master cylinder and "an adjusting piston threadingly engaged therein," wherein rotating the adjusting piston causes it to be threaded deeper into the master cylinder, thereby adjusting the position of the slave piston. Irwin does not disclose this feature. The Examiner equates Irwin's bleeder plug 72 with the adjusting piston of the present invention. However, the bleeder plug 72 does not adjust the position of the slave piston. The bleeder plug 72, as described in the specification of the Irwin patent (Col. 2, lines 52-54) is simply used for draining or adding hydraulic fuel when necessary. Bleeder plug 72 is not a piston. A piston is defined as "a sliding piece that is moved by, or moves against, fluid pressure." Webster's Revised Unabridged Dictionary (1996). Bleeder plug 72 is not a sliding piece, is not moved by fluid pressure, and does not move against fluid pressure. Accordingly, Irwin does not disclose the adjusting piston and Claim 6 is patentably distinguishable from Irwin.

With respect to claims 8 and 9, both require "a shift control lever spaced apart from the handlebar." The Examiner equates the twist grip unit 30 of the Irwin patent to the control lever of the present invention. However, twist grip 30 is not spaced apart from the handlebar as described in claim 8. Rather, it sits directly on the handlebar. Furthermore, the twist grip unit 30 does not move toward the handlebar and away from the handlebar as described in claim 8. Accordingly, Claims 8 and 9 are patentably distinguishable from Irwin.

Claims 2, 7 and 10 are rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 5,832,782 (Kawakami) in view of U.S. Patent No. 4,497,503 (Irwin). Claims 2 and 7, as amended, recite "an adjusting piston adjustably extending into the master cylinder." Similarly, Claim 10 recites "an adjuster pin threadingly engaged with the master cylinder assembly and operable to adjust the volume of the conduit." Kawakami is not directed to a hydraulic shift mechanism and, therefore does not disclose a master cylinder with an adjusting piston that operates as specified in the claims. Similarly, as discussed above, Irwin does not disclose an adjusting piston. Accordingly, claims 2, 7 and 10 are patentably distinguishable from Kawakami and Irwin. Claims 3-5, are dependent on claim 2 and contain additional patentable features.

CONCLUDING REMARKS

In view of the amendment and remarks, Applicant respectfully submits that the claims are in condition for allowance. If there are any questions that can be resolved by telephone, Examiner Smith is invited to contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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Date

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